**S.B. Civil Writ Petition No. 5478/2004**
**(Ram Rakhi v/s State and Ors.)**

**Date of Order : 08/12/2004**

**HON'BLE MR. PRAKASH TATIA,J.**

Mr. Dron Kaushik, for the petitioner/s

Heard learned counsel for the petitioner.

It appears from the facts of the case that according to the petitioner a land was allotted to the petitioner for temporary cultivation and he was temporary lease holder, his lease was not renewed after 1999. The petitioner approached to this Court by filing writ petition No. 4011/1999. This Court on submission of the petitioner observed that if the State Government has made any order that nothing should be done regarding the land on which allottees are there, then the petitioner may agitate his right before the State Government but no relief can be granted to the petitioner in the petitioner's writ petition.

It appears from the order dated 17.5.2002 (Annex.-6) that the State Government conveyed to the petitioner that she cannot be granted permanent allotment of land as the land which was allotted on temporary cultivation basis up to 15.1.1987 only have been regularised by giving permanent cultivation

lease to those allottees. The petitioner's case was not falling within the cut off date.

According to the learned counsel for the petitioner, now the State Government has decided to give benefit to the temporary cultivation lease holder who were in possession upto 1.4.1995 and their lease will be made permanent.

If it is so then the petitioner may approach to the State Government again for getting the benefit in the light of any change in policy of the State Government for extending benefit to the temporary cultivation lease holders. The petitioner, therefore, will be at liberty to approach the State Government but no relief can be granted to the petitioner whose rights have been decided by this Court in her earlier writ petition.

In view of the above, the writ petition of the petitioner is dismissed with liberty to petitioner to approach the State government for relief and the State Government may grant relief to the petitioner if she is entitled for relief strictly in accordance with law only.

**(PRAKASH TATIA)J.**

**RM/**